



Advocates for Workplace Fairness

April 5, 2019

**Via ECF**

The Honorable Roanne L. Mann  
United States Magistrate Judge  
United States District Court for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Kelly v. Brooklyn Events Center, LLC et al.*,  
No. 17 Civ. 4600 (RLM) (E.D.N.Y.)

Dear Judge Mann:

We represent Plaintiff and the Settlement Class in the above-referenced matter. We join with Defendant, Levy Premium Foodservice Limited Partnership (“Levy”), to submit the enclosed revised Settlement Notices and Claim Form for the Court’s consideration pursuant to the schedule provided in the parties’ March 21, 2019 joint letter. *See* ECF No. 39.

The parties’ revised Settlement Notices (“Notices”) reflect the guidance provided by the Court during the telephonic conference held on September 25, 2018. *See* ECF No. 34. For the Court’s convenience, these Notices are attached as Exhibits 1 and 2, and the prior version of the notice submitted as part of Plaintiffs’ settlement approval motion is attached as Exhibit 3.

The relevant changes also are outlined below:

- The parties prepared two separate Notices explaining which “Tier” the Class Member falls within and the corresponding relief available (Preliminary Approval Hearing Tr. (“PA Hearing”) 13:9-14:14);
- To avoid confusion, the Notices refer to “Defendant” or “Levy,” not “Defendants” (PA Hearing 4:20-5:8);
- The headers of the Notices have been revised to reference “Levy” to prevent the inadvertent participation of applicants to restaurants not operated by Levy at the Barclays Center (PA Hearing Tr. 8:3-10:3);
- The Notices now explain that Class Members may opt out and object to the settlement via e-mail in addition to U.S. mail (PA Hearing Tr. 23:13-25); and

Hon. Roanne L. Mann

April 5, 2019

Page 2 of 2

- For clarity, the Claim Form that Tier 2 and 3 Class Members receive now refers to the Class Member relief of hiring consideration and/or a monetary award as “Option 1” and “Option 2” instead of “Tier Two” and “Tier Three.”

We thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ossai Miazad', with a stylized flourish at the end.

Ossai Miazad

cc: Counsel of Record (via ECF)